

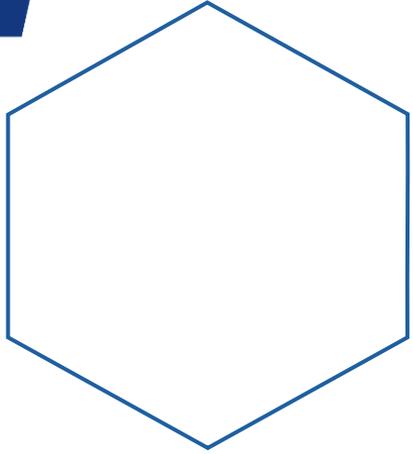


Labor Law Compliance

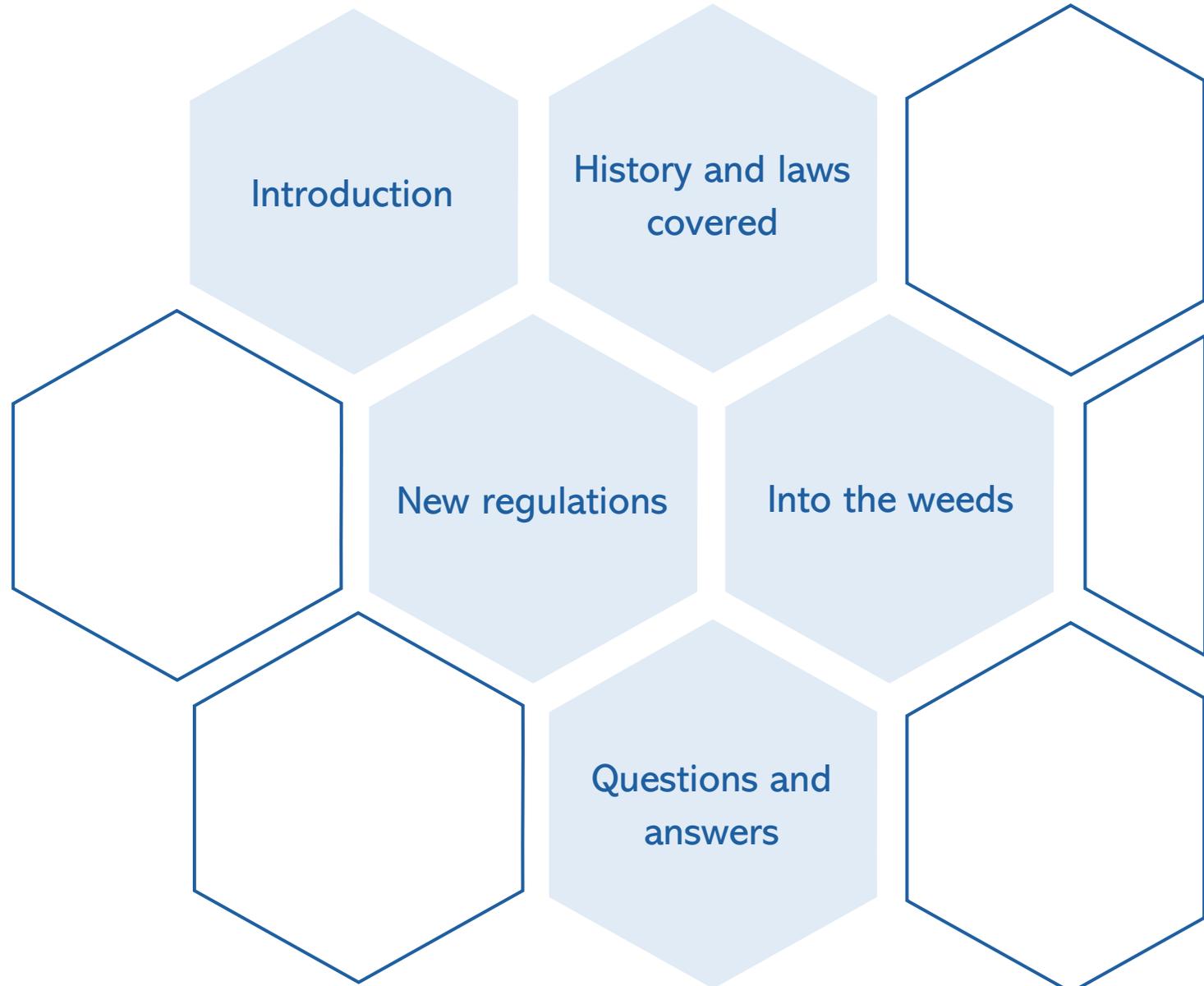
Bryan Smolock, Director

Bureau of Labor Law Compliance





Agenda





Introduction

The Bureau of Labor Law Compliance monitors and enforces Pennsylvania's laws relating to minimum wage, wage payment and collection and prevailing wage.

The Department also enforces several laws which protect workers' rights, those regulating child labor, seasonal farm labor, industrial homework, equal pay, medical pay, apprenticeship and training, misclassification of construction employees as independent contractors and mandatory overtime in health care.

The Bureau executes these responsibilities by providing employees and employers with information about the laws, conducting investigations and resolving disputes.





History and today

- The Bureau of Women and Children existed until the later part of the 20th century and covered rules specific to fair treatment of women in workplaces, and child labor regulations ensuring safety of minors.
- The Industrial Homework law, covered by the Bureau currently, dates back to the 1920s.
- The Bureau became what it is today after a merger in the mid-1990s of the Prevailing Wage Division, Apprenticeship Office, and Labor Standards enforcement office.
- The Bureau develops and implements policies and procedures to ensure compliance with a variety of labor laws. The Bureau initiates prosecution for violations which cannot be corrected through the administrative process.





Prevailing Wage

Minimum Wage

Child Labor

Wage Payment

Apprenticeship
and Training

Seasonal Farm

Medical Pay

Personnel File

Industrial
Homework

Equal Pay

Prohibition of
Excessive
Overtime in Health
Care (Act 102)

Construction
Workplace
Misclassification
(Act 72)

Act 75 E-Verify



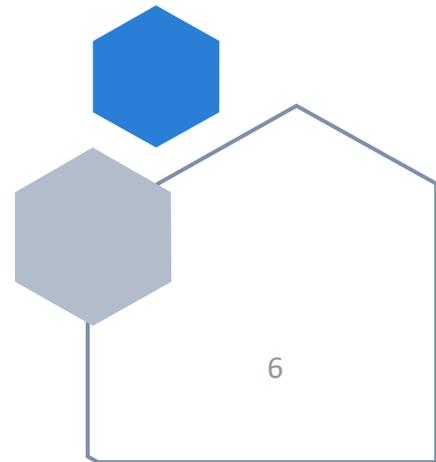
THE MINIMUM WAGE LAW

Act of 1968, P.L. 11, No. 5

The Pennsylvania Minimum Wage Act, as amended in 2006, establishes a fixed Minimum Wage and Overtime Rate for employees in Pennsylvania.

It also sets forth compliance-related duties for the Department of Labor & Industry and for employers.

In addition, the Minimum Wage Act provides penalties for noncompliance.





New Minimum Wage regulations took effect on August 5

They relate to tipped employees, tip pooling, service charges, credit card tips, and the fluctuating workweeks



MWL: Tipped employees

The new regulation clarifies that an employer can only take a tip credit for employees that make \$135 per month in tips

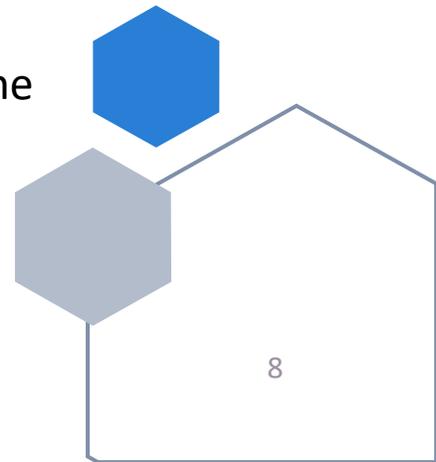
Under federal law and previous PA law, the rate was \$30 a month.

Since \$135 is a higher standard than federal threshold, the PA requirement will apply

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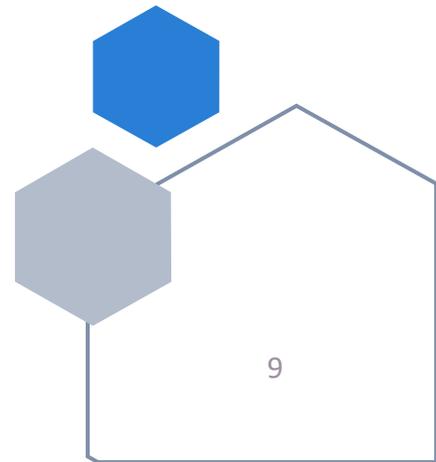




MWL: How the tipped wage works

An employer needs to ensure that all employees receive the Pennsylvania minimum wage, currently \$7.25 an hour

If an employees does not meet the definition of a tipped worker and does not receive \$135 per month in tips, the worker does not qualify for the reduced \$2.83 an hour minimum wage



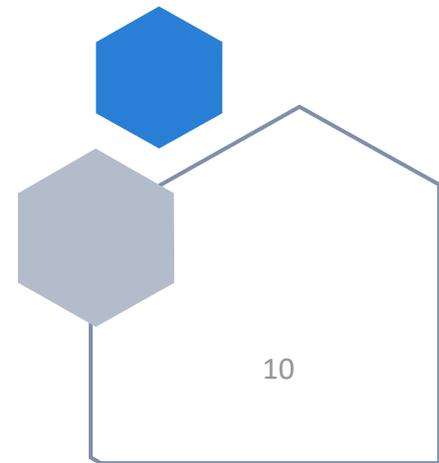


MWL: The 80/20

PA now better aligns with federal regulation on tipped worker duties

The long followed standard of the 80/20 rule is now a regulation in Pennsylvania

Regulation permits employees to be a tipped employee as long as that employee does not spend more than 20% of the 7-day previously established workweek performing duties that do not directly generate tips





80/20 example 1

Sally is a server at a restaurant. She earns \$2.83 an hour regardless of work performed. She normally works about 35 hours per work week, or 5 hours a day.

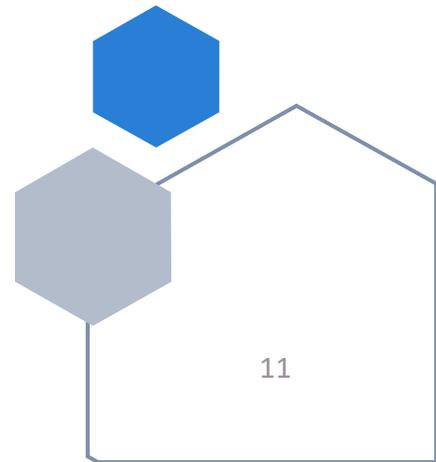
For the previous four weeks, the kitchen staff has been short.

Sally has been working up to 2 hours daily doing dishes, helping prep cooks prepare meals, and cleaning facilities.

She was doing her server duties for the other 3 hours.

By week's end, she has worked 21 hours doing server duties and 14 hours doing kitchen duties.

Since she has worked 40% of the workweek doing non-server duties, Sally must be paid \$7.25 for **all** hours worked





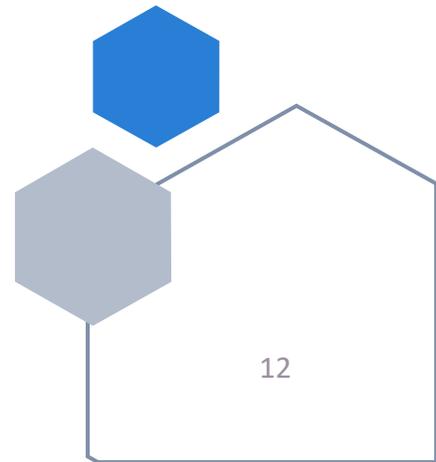
80/20 example 2

Bob is a bartender. Bob earned \$4.00 an hour regardless of work performed.

He has been working around 40 hours a week but has been told that he needs to clean facilities and mop the kitchen floor for the final half hour each work day.

By week's end, Bob will have worked 3.5 hours doing non tipped work.

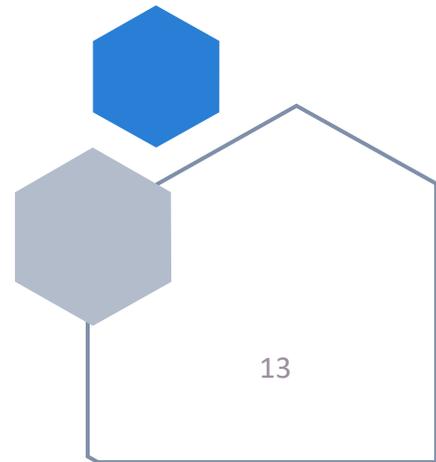
That constitutes 8% of Bob's workweek performing non-tipped duties, therefore Bob can still be paid \$2.83 so as long as he meets other qualifications of a tipped employee as previously defined





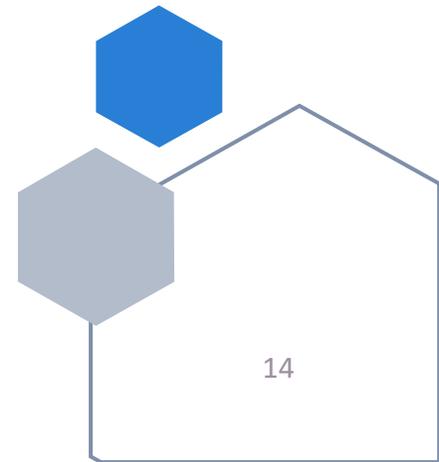
The 80/20 rule: Tip producing work

- Duties that directly generate tips include (but are not limited to) taking orders, serving food and drinks, preparing alcoholic beverages, bussing tables during the meal service, making recommendations, processing payments.
- Duties that do not generate tips but that are directly related to duties that generate tips include (but are not limited to) preparing tabletop condiments, wrapping silverware, refilling napkin holders. **Note:** these tasks may be directly related if done for an existing customer.
- Duties that do not generate tips and are not directly related to duties that generate tips include (but are not limited to) painting, taking inventory of backroom supplies, ordering supplies, scheduling, cleaning bathrooms.





An employer can take a tip credit for the time a tipped employee spends performing directly supporting tip-producing work provided that the employee does not perform that work for more than 20% of their work week.

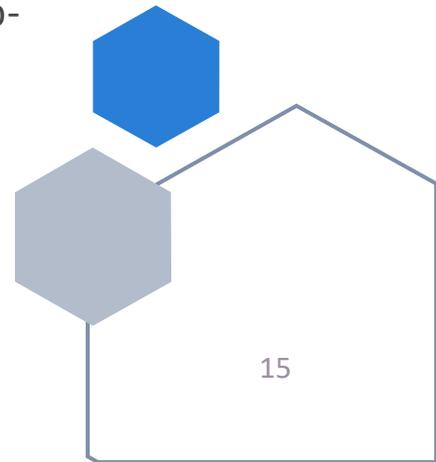




What are tip producing jobs?

Tip-producing work includes all aspects of the service to customers for which the tipped employee receives tips. Examples of tip-producing work include, but are not limited to:

1. a server's tip-producing work includes providing table service, such as taking orders, making recommendations, and serving food and drink.
2. A bartender's tip-producing work includes making and serving drinks, talking to customers at the bar and, if the bar includes food service, serving food to customers.
3. A nail technician's tip-producing work includes performing manicures and pedicures and assisting the patron to select the type of service.
4. *A busser's tip-producing work includes assisting servers with their tip-producing work for customers, such as table service, including filling water glasses, clearing dishes from tables, fetching and delivering items to and from tables, and bussing tables, including changing linens and setting tables.*
5. A parking attendant's tip-producing work includes parking and retrieving cars and moving cars in order to retrieve a car at the request of customer.
6. A service bartender's tip-producing work includes preparing drinks for table service. A hotel housekeeper's tip-producing work includes cleaning hotel rooms.
7. A hotel bellhop's tip-producing work includes assisting customers with their luggage.
8. The tip-producing work of a tipped employee who both prepares and serves food to customers, such as a counterperson, includes preparing and serving food.

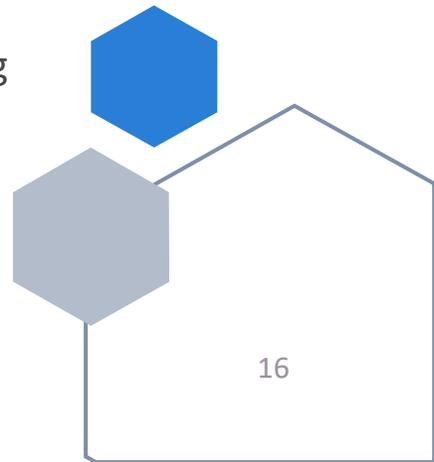




Jobs that support tip producing work

Examples of directly supporting work include, but are not limited to the following:

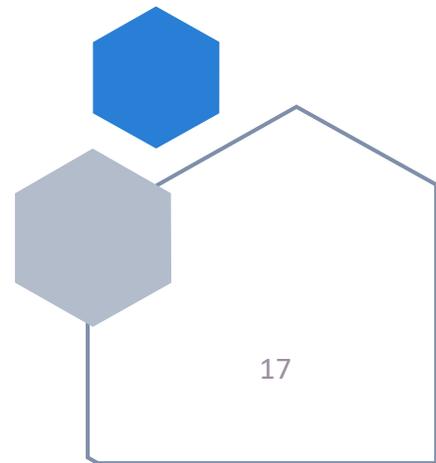
- A server's directly supporting work includes dining room prep work, such as refilling salt and pepper shakers and ketchup bottles, rolling silverware, folding napkins, sweeping or vacuuming under tables in the dining area, and setting and bussing tables.
- *A busser's directly supporting work includes pre- and post-table service prep work such as folding napkins and rolling silverware, stocking the busser station, and vacuuming the dining room, as well as wiping down soda machines, ice dispensers, food warmers, and other equipment in the service alley.*
- A bartender's directly supporting work includes work such as slicing and pitting fruit for drinks, wiping down the bar or tables in the bar area, cleaning bar glasses, arranging bottles in the bar, fetching liquor and supplies, vacuuming under tables in the bar area, cleaning ice coolers and bar mats, making drink mixes, and filling up dispensers with drink mixes.
- A nail technician's directly supporting work includes cleaning pedicure baths between customers, cleaning and sterilizing private salon rooms between customers, and cleaning tools and the floor of the salon.
- A parking attendant's directly supporting work includes cleaning the valet stand and parking area and moving cars around the parking lot or garage to facilitate the parking of patrons' cars.
- A bartender's directly supporting work includes slicing and pitting fruit for drinks, cleaning bar glasses, arranging bottles, and fetching liquor or supplies.
- A hotel housekeeper's directly supporting work includes stocking the housekeeping cart.
- A hotel bellhop's directly supporting work includes rearranging the luggage storage area and maintaining doors





NOT tip producing or supporting work

- Preparing food, including salads, and cleaning the kitchen or bathrooms, is not part of the tipped occupation of a server.
- Cleaning the dining room or bathroom is not part of the tipped occupation of a bartender.
- Ordering supplies for the salon is not part of the tipped occupation of a nail technician.
- Servicing vehicles is not part of the tipped occupation of a parking attendant.
- Cleaning the dining room and bathrooms is not part of the tipped occupation of a service bartender.
- Cleaning non-residential parts of a hotel, such as the exercise room, restaurant, and meeting rooms, is not part of the tipped occupation of a hotel housekeeper.
- Cleaning the kitchen or bathrooms is not part of the tipped occupation of a busser.
- Retrieving room service trays from guest rooms is not part of the tipped occupation of a hotel bellhop.





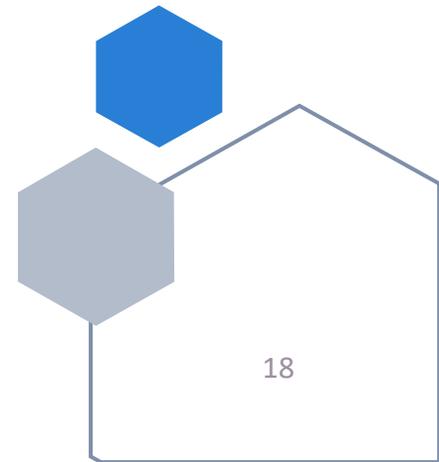
Credit card transactions

Credit card tip deductions are a common occurrence in the hospitality industry.

Occur when an employer deducts the credit card transaction fee percentage from a tip

For example, if a server receives a \$20 tip on a credit card, and the fee to the card company is 2%, the employer charges the employee \$.40.

Under the new regulation, this is not legal under the Minimum Wage Act





Service charges

Sometimes, a hospitality business will add a “service charge” to a bill

These service charges are not tips, sometimes they are used for administrative purposes and sometimes do *not* event *go to the employee*

The US DOL has previously stated that employers cannot use revenue derived from service charges to pay tips to employees

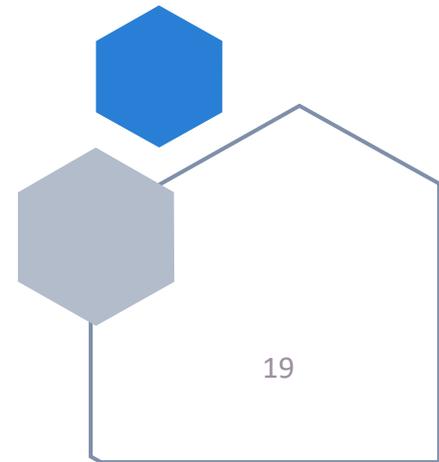
Pennsylvania's new regulation compels an employer that charges for administration of a banquet, special function, or package deal shall notify patrons of the charge by providing notice:

In a statement or contract with patron and on a menu to the patron

The notice must state that the charge is for administration and does not include a tip to be distributed to employee

The bill must contain separate line item for tips

Employer may distribute service charges to workers but not in the form of a tip.





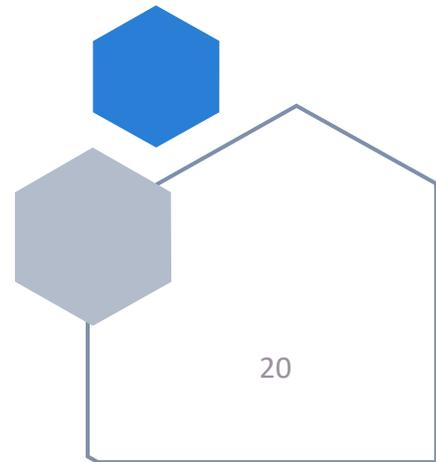
Diving into Tip pooling



Tip pooling is not a requirement, but an employer may utilize it as policy

Employers need to notify tipped workers of tip pooling arrangement at establishment

Tip pools can include both traditionally tipped and non-tipped occupations, with some exclusions.





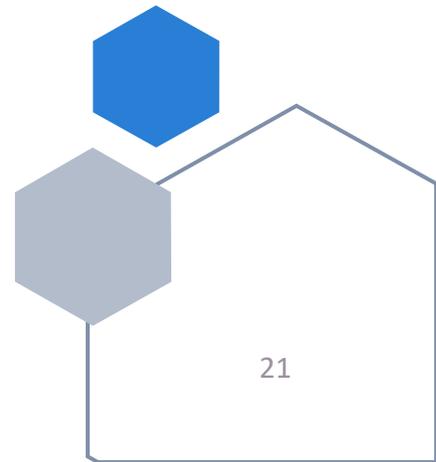
Out of the pool!

This is who must be EXCLUDED from a tip pool:

Individuals with ownership or partnership interest in the business
Employees who meet all parts of the **executive** employee duties test (but not the salary requirements) in federal code 29 C.F.R. Part 541.100 (2)-(4)

If an employer takes a tip credit, it must exclude any employee who does not spend at least 80% of their daily work performing duties that customarily or regularly generate tips

If employer pays everyone in the tip pool the minimum wage, it may include employees who do not spend at least 80% of their daily work performing duties that customarily or regularly general tips



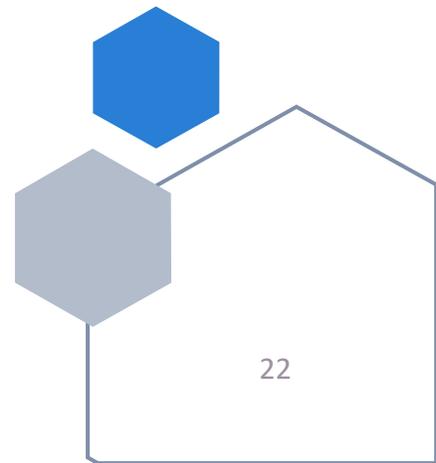


Executive duties test

Whose primary duty is management of the enterprise in which the employee is employed or of a customarily recognized department or subdivision thereof;

Who customarily and regularly directs the work of two or more other employees; and

Who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees are given particular weight.



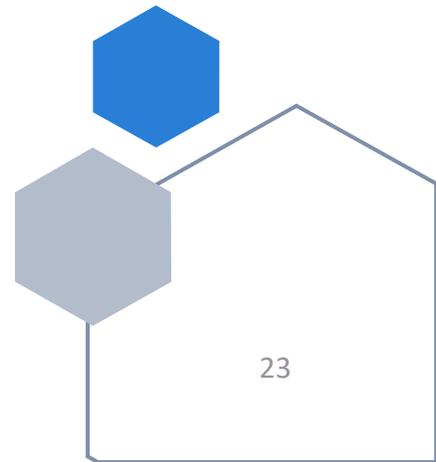


Salaried-exempt employees

There are categories that qualify for an overtime exemption. When coupled with the salary dollar amount threshold that has been established under federal regulation, there are no limits to the number of hours these employees work so as long as the salary is being paid consistently.

Executives, administrative, and professionals.

This is currently enforced by the federal United States Department of Labor



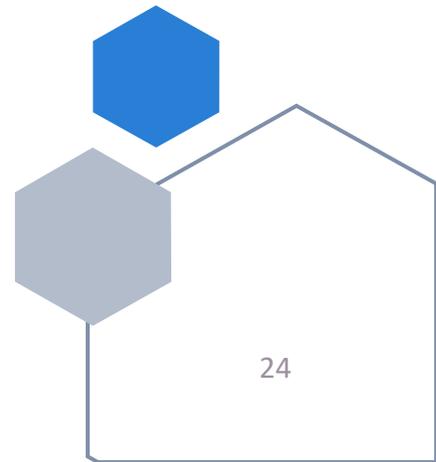


Fluctuating workweek for non exempt salaried employees

Pennsylvania's regulation has updated the definition of "regular rate of pay"

The regular rate is based on the regular, 40-hour-workweek and **not** the total hours worked including overtime, which may be irregular and inconsistent from week to week

This regulation effects only those who are salaried that do not meeting the duties or salary threshold of EAP exemptions





Wage Payment and Collection Law

Act of 1961, P.L. 637, No. 329

The Act provides that every employer shall pay all wages, other than fringe benefits and wage supplements, due his/her employees on regularly scheduled paydays designated in advance by the employer.

He/she shall pay in cash or by bank check. The employer must notify each employee at the time of hiring of the following:

- (1) time and place of payment;
- (2) rate of pay; and
- (3) amount of any fringe benefits or wage supplements to be paid to the employee, a third party, or a fund for the benefit of the employee.



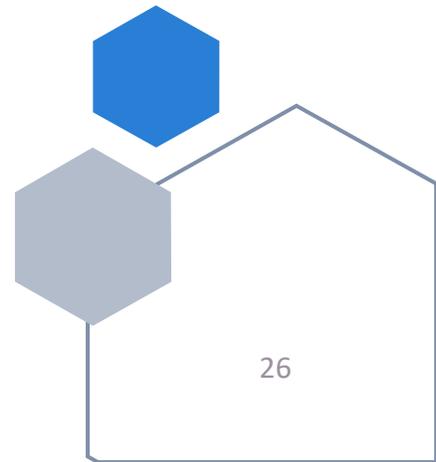
The Child Labor Act

Act of 2012, P.L. 1209, No. 151

The Department of Labor and Industry, through the Bureau of Labor Law Compliance, is responsible for the administration and enforcement of the Child Labor Law (Act of 2012 P.L. 1209, No 151), and the Regulations that govern employment of minors in industry.

The Child Labor Act provides for the health, safety and welfare of minors by:

- prohibiting their employment or work in certain establishments and occupations;
- under certain ages, restricting their hours of labor;
- regulating certain conditions of their employment; and
- requiring employment certificates (general or vacation) for minors under the age of 18.





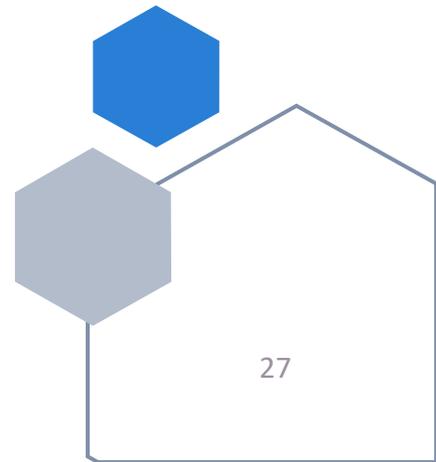
Prohibited occupations

We published a list of prohibited occupations. It is derived from three sources:

- (1) occupations and establishments expressly prohibited for minors under Section 4(a)(1) of the Child Labor Act (CLA),
- (2) any occupation or establishment designated as hazardous and otherwise prohibited for minors under the Federal Fair Labor Standards Act and regulations under that act, and
- (3) additional prohibited or hazardous occupations for establishments set forth in the Department's regulations. According to Section 29 of the CLA, the current regulations shall be those adopted under the former Child Labor Law until modified or deleted by the Department.

Therefore, the list includes prohibited occupations and establishments contained in the Department's Child Labor regulations set forth at 34 Pa. Code §§ 11.1, 11.31 – 11.84

[child labor law prohibitions.pdf \(pa.gov\)](https://www.pa.gov/child-labor-law-prohibitions.pdf)





The complaint process

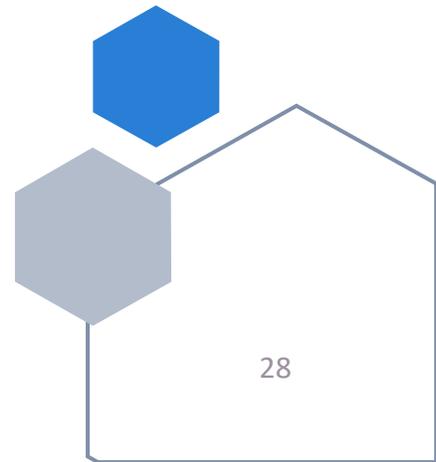
Complaints to the Bureau must be in writing

Wage Payment and Collection complaints are specific to the worker being underpaid, and are not anonymous in nature.

Act 102, 72, Prevailing Wage, Minimum Wage, and Child Labor spawn audits and can be kept anonymous.

Act 102 protects employees from retaliation if a complaint is filed, however other acts and laws enforced do not include the same safeguards.

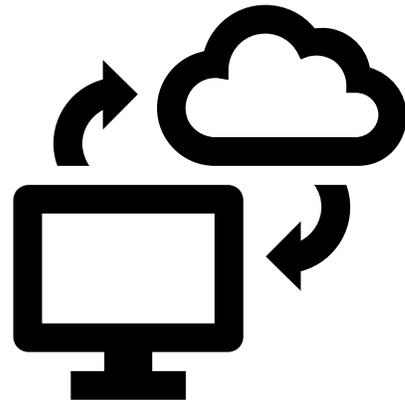
The Minimum Wage Act has criminal provisions for employers that take action against employees directly for cooperating with a Department investigation





Ways workers file

The Bureau can accept both paper and online submissions.



These forms are in both English and Spanish
The Bureau's website includes links to the forms and also web applications that complaints can be inputted directly by employees.

pennsylvania
DEPARTMENT OF LABOR & INDUSTRY
BUREAU OF LABOR LAW COMPLIANCE

Wage Complaint

Office use only: WPAC _____ MW _____ CLL _____

This form is used for complaints under the Pennsylvania Minimum Wage Act of 1968 and the Wage Payment and Collection Law. Persons returning this form should complete all parts, including the reverse side, that are applicable to the specific law or laws under which a complaint is made.

RETURN TO:
Bureau of Labor Law Compliance
1301 Labor & Industry Building
Seaton & Forster Streets
Harrisburg, PA 17121
Telephone: 717-252-0242 or 1-800-532-0665
FAX: 717-787-0517

PLEASE PRINT:
Name of Person Filing Complaint _____
Address _____
City _____ State _____ ZIP CODE _____
Date of Birth _____
Telephone Number where you can be reached between 9:30 a.m. and 5:00 p.m. () _____
E-mail Address _____ Fax Number () _____
Type of Work Performed _____
Company Name _____
Owner or Contact Person _____ Telephone () _____
Company Address _____
City _____ State _____ ZIP CODE _____
Location of Employment (if not same as above) _____
Date Hired _____ Are you still employed by the named employer? Yes No
If No, the last date worked _____ Was your termination: Voluntary Involuntary
What was your regular payday? Weekly Bi-weekly Semi-monthly Monthly Other _____
What was your rate of pay? Hourly \$ _____ Weekly \$ _____ Other (specify) \$ _____
How often do you work over 40 hours per week? Weekly Other Occasionally Never
Do you have Statement of Earnings (pay stubs) showing hours of work, rate of pay, etc.? Yes No
Did you retain your own record of hours worked? Yes No
Please submit copies of any pertinent documents and a written statement of the alleged violation along with this form to the above address.
I hereby certify that to the best of my knowledge and belief, this is a true statement of the facts relating to the above claim for wages.
Signature of Complainant _____ Date _____
Signature of Parent or Guardian if Complainant is under 18 years of age _____
What are the TOTAL wages claimed by you? \$ _____

COMPLETE PAGE 2

pennsylvania
DEPARTMENT OF LABOR & INDUSTRY
BUREAU OF LABOR LAW COMPLIANCE

MINIMUM WAGE OR OVERTIME COMPLAINT

This form is used for filing complaints under the Pennsylvania Minimum Wage Act of 1968. Persons returning this form should complete all parts regarding the alleged violation of the act.

RETURN TO:
Bureau of Labor Law Compliance
1301 Labor & Industry Building
Seaton & Forster Streets
Harrisburg, PA 17121
Telephone: 717-252-0242 or 1-800-532-0665
FAX: 717-787-0517

PLEASE PRINT:
Name of Person Filing Complainant _____
Address _____
City _____ State _____ ZIP CODE _____
Date of Birth _____
Telephone Number where you can be reached between 9:30 a.m. and 5:00 p.m. () _____
E-mail Address _____ Fax Number () _____
Type of Work Performed _____
Company Name _____
Owner or Contact Person _____ Telephone () _____
Company Address _____
City _____ State _____ ZIP CODE _____
Location of Employment (if not same as above) _____
Date Hired _____ Are you still employed by the named employer? Yes No
If No, the last date worked _____ Was your termination: Voluntary Involuntary
What was your regular payday? Weekly Bi-weekly Semi-monthly Monthly Other _____
What was your rate of pay? Hourly \$ _____ Weekly \$ _____ Other (specify) \$ _____
How often do you work over 40 hours per week? Weekly Other Occasionally Never
Do you have Statement of Earnings (pay stubs) showing hours of work, rate of pay, etc.? Yes No
Did you retain your own record of hours worked? Yes No
Please submit copies of any pertinent documents and a written statement of the alleged violation along with this form to the above address.
I hereby certify that to the best of my knowledge and belief, this is a true statement of the facts relating to the above claim for wages.
Signature of Complainant _____ Date _____
Signature of Parent or Guardian if Complainant is under 18 years of age _____
What are the TOTAL wages claimed by you? \$ _____

COMPLETE REVERSE SIDE

pennsylvania
DEPARTMENT OF LABOR & INDUSTRY
BUREAU OF LABOR LAW COMPLIANCE

CHILD LABOR ACT COMPLAINT FORM

OFFICE USE ONLY
INVESTIGATOR ASSIGNED _____
MAPPER # _____

This form is used for complaints under the Pennsylvania Child Labor Act of 2012, P.L. 1209, No. 151. Persons returning this form should complete all pages. Attach any additional information which may be needed and applicable to the specific act under which a complaint is made.

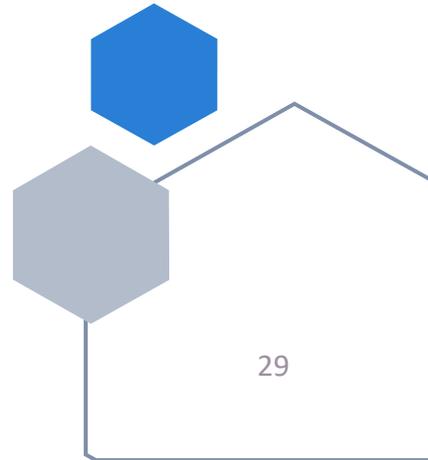
RETURN TO:
Bureau of Labor Law Compliance
1301 Labor & Industry Building
651, Base Street
Harrisburg, PA 17121
Telephone: 717-252-0242 or 1-800-532-0665
FAX: 717-787-0517

Please print in ink. Complete all parts as much as possible.
Name of person filing complaint _____
Address _____
City _____ State _____ ZIP CODE _____
Telephone number where you can be reached between 9:30 a.m. and 5 p.m. () _____
Name of minor(s) involved _____ Date of birth _____
Telephone number of minor(s) (if known) () _____ Age (if known) _____
Address (if known) _____
City _____ State _____ ZIP CODE _____

List additional minors on the reverse or attach additional lists of minors employed or alleged to be employed in violation of the Pennsylvania Child Labor Act.
Name of employer (against whom the complaint is filed) _____
Company name, if any _____ Telephone () _____
Location of employment _____
City _____ State _____ ZIP CODE _____
List any other contact person, manager or agent of the business or employer _____
Do you wish to remain anonymous? Yes No

Please list types of violations:
1. Are minors employed in what may be excessive hours per week? Yes No If YES, please explain: _____
2. Are minors employed with official working papers (employment certificates)? Yes No
3. Are minors employed more than eight hours in a day? Yes No

COMPLETE REVERSE SIDE





Resolutions

If there is no violation or inconclusive evidence, the case is reassigned to worker under Wage Payment or Minimum Wage.

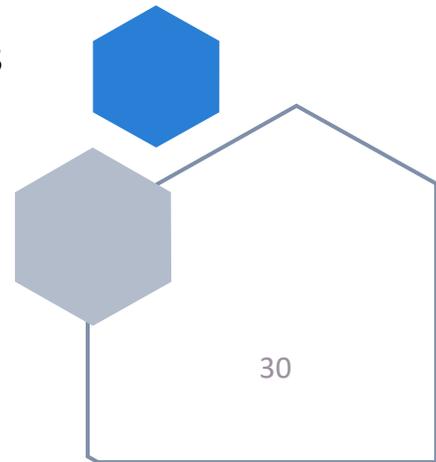
Minimum Wage cases trigger company wide audit.

Typically, Prevailing wage cases will trigger audit of complete project or other projects the contractor was working on.

If workers are paid, cases are closed, and workers receive back wages.

If employer does not pay, court action including claims before Magisterial District Judges or higher courts will occur.

Act 102 and Act 72 include provisions for administrative penalties. Child Labor includes rules for both administrative or criminal penalties.





More information



New Regulations Minimum Wage E-Verify

[DLI](#) > [Individuals](#) > [Labor Management Relations](#) > [Labor Law Compliance](#) > [Overtime and Tipped Worker Rules in PA](#)

Updated Rules in Pennsylvania

Tipped Worker Rules Now in Effect

As of August 5, 2022, updated rules affecting tipped workers and salaried workers who work a fluctuating work week schedule are in effect. A summary of these regulations can be found below or by accessing our [Updated Regulations Presentation](#). The Minimum Wage Act Regulations can be found on the Pennsylvania Bulletin website at [34 Pa. Code Chapter 231, Minimum Wage](#).

- [Tipped Work FAQs](#)
- [Overtime Rules](#)
- [Overtime FAQs](#)

If you believe you are owed money by your employer, please file a complaint using the [Minimum Wage and Overtime Complaint Form](#). For more information and instructions on how to file a complaint, visit our [Instructional page](#).

Credit Card and Other Payment Processing Fees

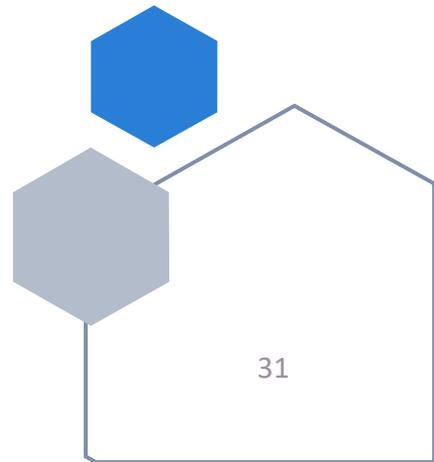
- All tips and gratuities paid by credit card or other non-cash method of payment are the property of the employee receiving them.
- Employers are prohibited from deducting any credit card or other payment processing fees from employees' tips.

Tip Pooling

- Tip pools including any employee who is paid a tip credited minimum wage (less than \$7.25 per hour) may only include individuals in occupations who customarily and regularly receive tips.
- If all employees are paid at least the state minimum wage or higher, tip pools may include both tipped and non-tipped employees.
- Managers, supervisors, or employers are prohibited from receiving tips from a tip pool, though they may choose to contribute tips they earned to the tip pool.
- Managers, supervisors, or employers can only receive tips from patrons if they provide the entire service without assistance.
 - Example 1:** A supervisor working at a bar takes a drink order from a patron, makes the drink, delivers the drink, and cleans the table when the patron is finished. In this case, the supervisor may keep the entire tip.
 - Example 2:** A manager in a restaurant takes food orders and refills some drinks while a tipped employee delivers food to the table and refills drinks. In this case, the manager may not keep any part of the tip.

The Department has published a website for new regulations, including FAQs and other information.

You can find the site at www.dli.pa.gov/overtime





Posters are FREE!

The Bureau also publishes and distributes for free labor law posters that include:

Minimum Wage rules

Child Labor Information

Unemployment Comp and Workers Comp



MUST BE POSTED IN A CONSPICUOUS PLACE WHERE ANY PERSON UNDER AGE 18 IS EMPLOYED
This summary is for general information, and is not to be considered in the same light as official statements contained in the Act or its regulations.

Minors under 16 must have a written statement by the minor's parent or guardian acknowledging the duties and hours of employment and granting permission to work.

HOURS OF EMPLOYMENT—AGES 14 & 15*

HOURS OF EMPLOYMENT

During School Term: Maximum three hours on school days, eight hours on any other day, and 18 hours per school week (Monday–Friday), and only at a time that does not interfere with school attendance. Plus eight additional hours on Saturdays and Sundays.

Exception: Students 14 and older, whose employment is part of a recognized school work program, may be employed for hours, when combined with school hours, not exceeding eight in a day.

During School Vacations: Maximum eight hours/day, 40 hours/week.

WORK TIME

Employment prohibited after 7 p.m. and before 7 a.m.

Exceptions: During school vacations, minors may be employed until 9 p.m. Minors at least age 11 may be employed in newspaper delivery from 5 a.m. to 9 p.m., except during school vacation, then until 9 p.m. Members of volunteer fire companies may participate in training and firefighting activities until 10 p.m. with written parental consent.

HOURS OF EMPLOYMENT—AGES 16 & 17**

HOURS OF EMPLOYMENT

During School Term: Maximum eight hours a day and 28 hours per school week (Monday–Friday). Plus eight additional hours on Saturdays and Sundays.

During School Vacations: Maximum 48 hours/week; 10 hours/day; a minor may refuse any request to work greater than 44 hours/week.

Employment prohibited before 6 a.m. and after 12 a.m.

Exceptions: During school vacations, minors may be employed until 1 a.m. Members of volunteer fire companies may continue serving in answer to a fire call until excused by chief.

* Minors employed as sports attendants are not subject to the Act's hours and work time restrictions.

**EXCEPT: A) Minors who have graduated from high school or who are exempt from compulsory attendance under the Public School Code are not subject to the Act's hours of employment or work time restrictions.

B) Special rules apply to young adults, 16 and 17 years of age, employed during a school vacation as a counselor at a summer resident camp operated by a religious or scout organization.

MINIMUM EMPLOYMENT: NOT MORE THAN SIX CONSECUTIVE DAYS (except newspaper delivery).

30 MINUTE MEAL PERIOD REQUIRED ON OR BEFORE FIVE CONSECUTIVE HOURS OF WORK.

For further information on the Child Labor Act, please consult the Department of Labor & Industry's website at www.dli.state.pa.us and click on "Labor Law Compliance."

Address inquiries and complaints to one of the offices of the Bureau of Labor Law Compliance:

Altoona District Office 1130 12 th Ave. Suite 200 Altoona, PA 16601 814-940-6224 or 877-792-8198	Harrisburg District Office 1301 Labor & Industry Building 651 Boas St. Harrisburg, PA 17121 717-787-4671 or 800-932-0665	Philadelphia District Office 110 North 8 th St. Suite 203 Philadelphia, PA 19107 215-560-1858 or 877-817-9497
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Pittsburgh District Office 301 5 th Ave. Suite 330 Pittsburgh, PA 15222 412-565-5300 or 877-504-8354	Scranton District Office 201 B State Office Building 100 Lackawanna Ave. Scranton, PA 18503 570-963-4577 or 877-214-3962
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Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

MINIMUM WAGE LAW SUMMARY

MUST BE POSTED IN A CONSPICUOUS PLACE IN EVERY PENNSYLVANIA BUSINESS GOVERNED BY THE MINIMUM WAGE ACT

Minimum Wage Rate

**\$7.25 per hour
Effective
July 24, 2009**

(Except as Described)

Overtime Rate

Workers shall be paid
1½ times their regular rate
of pay after 40 hours worked
in a workweek

(Except as Described)

The Pennsylvania Minimum Wage Act establishes a fixed Minimum Wage and Overtime Rate for employees. It also sets forth compliance-related duties for the Department of Labor & Industry and for employers. In addition, the Minimum Wage Act provides penalties for noncompliance. This summary is for general information only and is not an official position formally adopted by the Department of Labor & Industry.

TIPPED EMPLOYEES:

An employer may pay a minimum of \$2.83 per hour to an employee who makes \$135.00 per month in tips. The employer must make up the difference if the tips and \$2.83 do not meet the regular Pennsylvania minimum wage.

KEEPING RECORDS:

Every employer must maintain accurate records of each employee's earnings and hours worked, and provide access to Labor & Industry.

PENALTIES:

Failure to pay the legal minimum wage or other violations may result in payment of back wages and other civil or criminal action where warranted.

EXEMPTIONS:

Overtime applies to certain employment classifications. (see pages 2 and 3)

SPECIAL ALLOWANCES FOR:

Students, learners and people with disabilities, upon application only.



PENNSYLVANIA UNEMPLOYMENT COMPENSATION

Under the provisions of the Pennsylvania Unemployment Compensation (UC) Law, I am registered with the Pennsylvania Department of Labor & Industry as:

EMPLOYER NAME _____

ADDRESS _____

PA UC ACCOUNT NUMBER _____

The UC Law can provide you with an income during periods when you are either partially or totally unemployed through no fault of your own.

If you become UNEMPLOYED or your HOURS ARE REDUCED due to LACK OF WORK, the company, department, agency, commission, or bureau where you worked may provide you with a completed **Form UC-1609**, How to Apply for Unemployment Compensation (UC) Benefits.

IMPORTANT

Your UC application will be dated effective the week in which you actually file the application for benefits. You should file a new claim or reopen an existing claim during the first week in which you are unemployed or that your hours are reduced. You may risk losing some benefit eligibility if you file after the first week you are unemployed.

NOTE: To file an application for UC benefits, you will need to provide you:

- Social Security Number
- Alien registration number (if not a U.S. citizen)
- Complete mailing and home address
- Name, address, and account number of employer(s) from Form UC-1609
- Dates of employment and reasons for leaving
- Most recent pay stub (optional but helpful)
- Personal Identification Number (PIN) (if you have one from a prior claim)

Scan with your mobile phone



You may file your new application, reopen an existing claim or get information about the UC Program online at www.uc.pa.gov, or by calling the UC Service Center at 888-313-7284. TTY: (Hearing Impaired) at 888-334-4046.

When claiming UC benefits, you must report gross wages that you earned during any week for which you are claiming UC benefits. Computer crossmatching is used to detect the illegal receipt of UC payments resulting from unreported work and earnings, as well as unreported pensions.

REMEMBER: Whenever you have questions or any problem regarding your UC claim, contact your UC Service Center. Do not take outside advice. Outside advice may be incorrect and could adversely affect your eligibility to receive UC benefits.

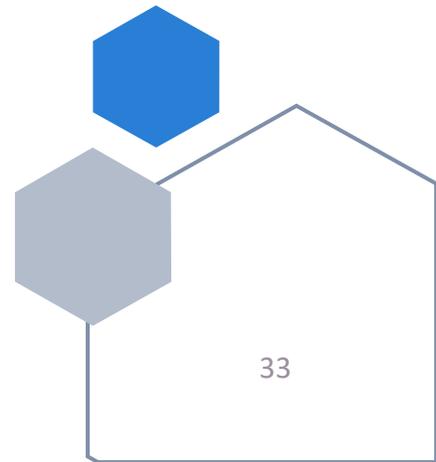
A person who knowingly makes a false statement or knowingly withholds information to obtain UC benefits commits a criminal offense under section 801 of the UC Law, 43 P.S. §871, and may be subject to a fine, imprisonment, restitution and loss of future benefits.



CONTACT US

Email the Bureau of Labor Law Compliance

RA-LI-SLMR-LLC@pa.gov

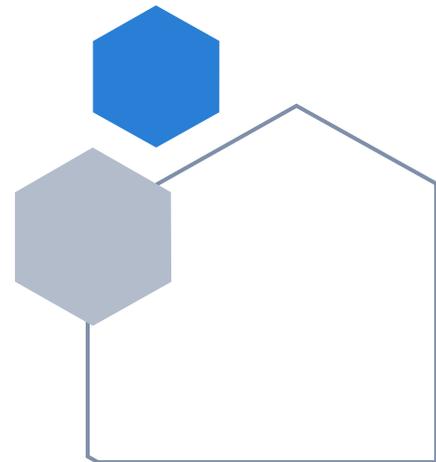




Our Harrisburg Central Office



1301 Labor & Industry Building
651 Boas St.
Harrisburg, PA 17121
717-705-5969 or 1-800-932-0665





Our District Offices



Altoona

130 12th Ave.
Suite 200
Altoona, PA 16601
814-940-6224 or 1-
877-792-8198



Scranton

201 B State Office
Building
100 Lackawanna Ave.
Scranton, PA 18503
570-963-4577 or 1-
877-214-3962



Pittsburgh

301 5th Ave.
Suite 330
Pittsburgh, PA 15222
412-565-5300 or 1-
877-504-8354



Philadelphia

110 North 8th St.
Suite 203
Philadelphia, PA
19107
215-560-1858 or 1-877-
817-9497



Thank you

Bryan Smolock

bsmolock@pa.gov

717-787-0606